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February 3, 2025

Via ECF

Hon. Jeanette Vargas, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 20B
New York, NY 10007

MEMO ENDORSED

Re: *Yi-Chieh Cheng v. New Video Channel America, LLC d/b/a/ BBC America*,
Case No. 1:24-cv-05819

**JOINT LETTER MOTION FOR AN ADJOURNMENT OF THE INITIAL
PRETRIAL CONFERENCE AND DEFENDANT'S MOTION TO DISMISS**

Dear Judge Vargas:

Pursuant to Rule 3.E of this Court's Individual Practices in Civil Cases, the Parties respectfully request a 14-day adjournment of the Initial Pretrial Conference, and the hearing on Defendant's Motion to Dismiss, both currently scheduled for February 5, 2025 at 12:00 p.m.

The parties have reached an agreement in principle to settle Plaintiff's individual claims and are working diligently to finalize the Settlement Agreement. Plaintiff will dismiss his individual claims once the Agreement is fully executed. Adjourning the February 5 hearings will preserve the resources of both the parties and the Court by avoiding the need to prepare for, and attend, hearings which will be rendered moot once the case is dismissed.

The parties have previously made the following requests for extensions of time:

1. On August 22, 2024, Defendant requested an extension of time to answer Plaintiffs' Complaint until October 11, 2024. ECF 12. On August 23, 2024, the Court granted that request. ECF 13.

2. On October 11, 2024, the parties requested an extension of time for Defendant to respond to Plaintiff's First Amended Complaint, and an adjournment of the October 30, 2024 Initial Pretrial Conference until after briefing on Defendant's motion to dismiss was complete. ECF 16. On October 15, 2024, the Court granted that request to extend the time for Defendant to respond, and adjourned the Initial Pre-Trial Conference until January 3, 2025. ECF 17.

3. On December 9, 2024, the parties requested that the Court adjourn the January 3, 2025 Initial Pretrial Conference until after briefing on Defendant's motion to dismiss was complete. ECF 23. On December 10, 2024, the Court denied that request.

4. The requested modification will not affect any other deadlines in this case.

Respectfully submitted,

HOLLAND & KNIGHT LLP

HAMMONDLAW, P.C.

Mark S. Melodia

Julian Hammond

*Counsel for Defendant New Video Channel
America, LLC d/b/a/ BBC America*

Counsel for Plaintiff Yi-Chieh Cheng

The parties' request to adjourn the Initial Pretrial Conference, and the hearing on Defendant's Motion to Dismiss, both currently scheduled for February 5, 2025, at 12:00 PM, is **GRANTED**, *sine die*. The parties are **FURTHER ORDERED** to submit a joint status letter by February 18, 2025, regarding the finalization of the settlement agreement. The Clerk of the Court is directed to terminate ECF No. 32.

Date: 02/03/2025

SO ORDERED.



HON. JEANNETTE A. VARGAS
UNITED STATES DISTRICT JUDGE